

Title Vesting Schedule

Public Auction of Tax-defaulted Property

Ownership of Real Property

	Tenants in Common	Joint Tenants	Community Property
Parties	Any number of persons, can be husband and wife.	Any number of persons, can be husband and wife.	Can only be husband and wife.
Division	Ownership can be divided into any number of interests.	Ownership interest cannot be divided.	Ownership interests are equal.
Title	Each co-owner has a separate legal title to his undivided interest.	There is only one title to the whole property.	Title is in the community similar to title being in a partnership.
Possession	Equal rights of possession.	Equal rights of possession.	Equal right of possession.
Conveyance	Each co-owner's interests may be conveyed separately by its owner.	Conveyance by the one co-owner without the other breaks the joint tenancy.	Both co-owners must join in conveyance of real property. Separate interests cannot be conveyed.
Purchaser's Status	Purchaser becomes a tenant in common with the other co-owners.	Purchaser becomes a tenant in common.	Purchaser can only acquire whole title of community; cannot acquire a part of it.
Death	On co-owner's death, his interest passes by will to his devisees or heirs. No right of survivorship.	On co-owner's death, his interest ends and cannot be willed to his heirs. Survivor owns the property by right of survivorship.	On co-owner's death, 1/2 goes to survivor in severalty. Up to 1/2 goes by will or succession to others. (Consult attorney with specific questions.)
Successor's Status	Devisees of heirs become tenants in common.	Last survivor owns property in severalty.	Is passing by will, tenancy in common between devisees and survivor results.
Creditors	Co-owner's interest may be sold on execution sale to satisfy his creditors. Creditors becomes a tenant in common.	Co-owner's interest may be sold on execution sale to satisfy his creditors. Joint tenancy is broken, creditor becomes a tenant in common.	Co-owner's interest cannot be seized and sold separately. The whole property may be sold to satisfy debts of either husband or wife, depending on the debt. (Consult attorney with specific questions.)
Presumption	Favored in doubtful cases except husband and wife (see community property).	Must be expressly stated and properly formed.	Strong presumption that property acquired by husband or wife in community.

This is provided for informational purposes only. Specific questions for actual real property transactions should be directed to your attorney or accountant.

Taking Title to Property Purchased at Public Auction

The following samples are provided as a guide to assist you in determining how you want your property deeded. It is important to decide how you want the title to be recorded before you register for the public auction as records will not be changed once submitted.

John Doe and Jane Doe, as:	Husband and Wife as Joint Tenants Husband and Wife as Tenants in Common Husband and Wife as Community Property	
John Doe, as:	a Married Man, as Sole and Separate Property a Single Man an Unmarried Man a Widower as Accommodator	
Jane Doe, as:	a Married Woman, as Sole and Separate Property a Single Woman an Unmarried Woman a Widow as Accommodator	
John Doe and Jane Smith, as:	a Single Man and a Single Woman as Joint Tenants a Single Man and a Single Woman as Tenants in Common	
John Doe and Tom Smith, as:	a Single Man and a Single Man as Joint Tenants a Single Man and a Single Man as Tenants in Common	
John Doe, a Married Man, as to an Undivided 1/2 Interest and Jane Smith, a Single Woman, as to an Undivided 1/2 Interest, as Tenants in Common		
John Doe, as Trustee of the:	Jane Doe Living Trust Jane Doe 2005 Revocable Trust Jane Doe Irrevocable Trust Doe Family Trust dated 2005 John Doe and Jane Doe Trust Agreement dated 2005	
Doe and Doe, as	a Partnership a Family Partnershi a General Partnership a California Partnership	a Corporation a California Corporation a California Non-Profit Coporation a California Close Corporation